

(B) Instrumentalities

Such term includes public authorities, boards, commissions, and similar bodies created by one or more eligible entities described in subparagraph (A) to provide E-911 services.

(C) Exception

Such term does not include any entity that has failed to submit the most recently required certification under subsection (c) of this section within 30 days after the date on which such certification is due.

(4) E-911 services

The term “E-911 services” means both phase I and phase II enhanced 911 services, as described in section 20.18 of the Commission’s regulations (47 C.F.R. 20.18), as in effect on December 23, 2004, or as subsequently revised by the Federal Communications Commission.

(5) Phase II E-911 services

The term “phase II E-911 services” means only phase II enhanced 911 services, as described in such section 20.18 (47 C.F.R. 20.18), as in effect on December 23, 2004, or as subsequently revised by the Federal Communications Commission.

(6) State

The term “State” means any State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, and any territory or possession of the United States.

(Pub. L. 102-538, title I, §158, as added Pub. L. 108-494, title I, §104, Dec. 23, 2004, 118 Stat. 3987; amended Pub. L. 110-53, title XXIII, §2303, Aug. 3, 2007, 121 Stat. 543; Pub. L. 110-283, title I, §102, July 23, 2008, 122 Stat. 2623.)

CODIFICATION

December 23, 2004, referred to in subsec. (a)(2), was in the original “the date of enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 108-494, which enacted this section, to reflect the probable intent of Congress.

AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-283, §102(1), inserted “and for migration to an IP-enabled emergency network” before period at end.

Subsecs. (d) to (f). Pub. L. 110-283, §102(2), (3), added subsec. (d) and redesignated former subsecs. (d) and (e) as (e) and (f), respectively.

2007—Subsec. (b)(4). Pub. L. 110-53 inserted at end “Within 180 days after August 3, 2007, the Assistant Secretary and the Administrator shall jointly issue regulations updating the criteria to allow a portion of the funds to be used to give priority to grants that are requested by public safety answering points that were not capable of receiving 911 calls as of August 3, 2007, for the incremental cost of upgrading from Phase I to Phase II compliance. Such grants shall be subject to all other requirements of this section.”

FINDINGS

Pub. L. 108-494, title I, §102, Dec. 23, 2004, 118 Stat. 3986, provided that: “The Congress finds that—

“(1) for the sake of our Nation’s homeland security and public safety, a universal emergency telephone number (911) that is enhanced with the most modern and state-of-the-art telecommunications capabilities possible should be available to all citizens in all regions of the Nation;

“(2) enhanced emergency communications require Federal, State, and local government resources and coordination;

“(3) any funds that are collected from fees imposed on consumer bills for the purposes of funding 911 services or enhanced 911 should go only for the purposes for which the funds are collected; and

“(4) enhanced 911 is a high national priority and it requires Federal leadership, working in cooperation with State and local governments and with the numerous organizations dedicated to delivering emergency communications services.”

PURPOSES

Pub. L. 108-494, title I, §103, Dec. 23, 2004, 118 Stat. 3986, provided that: “The purposes of this title [see Short Title of 2004 Amendment note set out under section 901 of this title] are—

“(1) to coordinate 911 services and E-911 services, at the Federal, State, and local levels; and

“(2) to ensure that funds collected on telecommunications bills for enhancing emergency 911 services are used only for the purposes for which the funds are being collected.”

CHAPTER 9—INTERCEPTION OF DIGITAL AND OTHER COMMUNICATIONS**SUBCHAPTER I—INTERCEPTION OF DIGITAL AND OTHER COMMUNICATIONS**

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SUBCHAPTER I—INTERCEPTION OF DIGITAL AND OTHER COMMUNICATIONS**§ 1001. Definitions**

For purposes of this subchapter—

(1) The terms defined in section 2510 of title 18 have, respectively, the meanings stated in that section.

(2) The term “call-identifying information” means dialing or signaling information that identifies the origin, direction, destination, or termination of each communication generated or received by a subscriber by means of any equipment, facility, or service of a telecommunications carrier.

(3) The term “Commission” means the Federal Communications Commission.

(4) The term “electronic messaging services” means software-based services that enable the sharing of data, images, sound, writing, or other information among computing devices controlled by the senders or recipients of the messages.

(5) The term “government” means the government of the United States and any agency